

Serial No.: 10/666,551
Docket No.: ST02001C11 (159-US-CIP1)

REMARKS

STATUS SUMMARY

Currently, claims 1-38, 46-67 and 75-112 are pending in the present application. Applicant previously canceled claims 39-45 and 68-74 without prejudice as being directed to non-elected subject matter. Claims 1-38, 46-67 and 75-112 are presently rejected. In the present Amendment, no amendments have been made to the claims. Applicant has made minor non-substantive amendments to certain of the paragraphs of the specification.

CLAIM REJECTIONS - - 35 U.S.C. § 102

Claims 1-38, 46-67 and 75-112 are rejected under 35 U.S.C. § 102(e) as being anticipated by either U.S. Pat. App. Pub. No. US 2004/0198449 to Forrester et al. ("Forrester et al.") or U.S. Pat. App. Pub. No. US 2002/0111171 to Boesch et al. ("Boesch et al."). Applicant respectfully traverses this rejection for the reasons set forth below.

Claim 1 recites "receiving the GPS almanac in a piecewise process at the PACS." Applicant's specification describes in detail examples of the piecewise process and the PACS.

Forrester et al. fails to teach the subject matter recited in claim 1. Forrester et al. merely teaches a base station controller that is part of a network. The base station controller includes its own GPS receiver and is configured to transmit position assist information to a wireless device. *See, e.g.*, Forrester et al., ¶¶ 29 and 36-38. Forrester et al. teaches that GPS assist information can include almanac and ephemeris data. Forrester et al. teaches that a network can be employed to provide this GPS assist information to the wireless device, because such a process may be faster than the wireless device obtaining the information on its own. *See* Forrester et al., ¶¶ 48-52. Therefore, Applicant respectfully submits that the foregoing teachings of Forrester et al. do not anticipate the invention recited in claim 1 in any manner.

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Boesch et al. similarly fails to teach the subject matter recited in claim 1. Boesch et al. merely teaches that a wireless device may receive updated GPS data from a network in addition to its own GPS processing. *See* Boesch et al., ¶¶ 19-22. Like Forrester et al., Boesch et al. teaches that receiving full almanac data via the network may be faster than the wireless device itself receiving the data directly from the GPS satellites. *See* Boesch et al., ¶ 26. Therefore, Applicant respectfully submits that the foregoing teachings of Boesch et al. do not anticipate the invention recited in claim 1 in any manner.

With regard to both Forrester et al. and Boesch et al., Applicant notes that the broad concept of providing updated position assistance data to a wireless device, which may include replacing aged almanac or ephemeris data with updated data, is different from the novel concepts of a partial almanac collection system (“PACS”) and working with piecewise almanac data that are disclosed and claimed in the present application.

Claims 2-4 depend directly or indirectly from claim 1, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

Independent claim 5 recites “receiving a request from a call processor to perform a piecewise almanac download with the PACS” and “downloading the almanac in a piecewise process.” Claim 5 is therefore patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

Claims 6-38 depend directly or indirectly from claim 5, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 5.

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Independent claim 46 recites "means for receiving the GPS almanac in a piecewise process at the PACS." Claim 46 is therefore patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

Claims 47-49 depend directly or indirectly from claim 46, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 46.

Independent claim 50 recites "means for receiving a request from a call processor to perform a piecewise almanac download with the PACS" and "means for downloading the almanac in a piecewise process." Claim 50 is therefore patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

Claims 51-67 depend directly or indirectly from claim 50, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 50.

Independent claim 75 recites "logic configured for receiving the GPS almanac in a piecewise process at the PACS." Claim 75 is therefore patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

Claims 76-78 depend directly or indirectly from claim 75, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 75.

Independent claim 79 recites "logic configured for receiving a request from a call processor to perform a piecewise almanac download with the PACS" and "logic configured for downloading the almanac in a piecewise process." Claim 79 is therefore patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 1.

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Claims 80-112 depend directly or indirectly from claim 79, and therefore are patentable over Forrester et al. and Boesch et al. for at least the same reasons as set forth above regarding claim 79.

In view of the foregoing, Applicant respectfully submits that claims 1-38, 46-67 and 75-112 are patentable under 35 U.S.C. § 102(e) over Forrester et al. and Boesch et al., and therefore respectfully requests that these rejections be withdrawn.